



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, January 28th, 2020 at 6:00 p.m. – Council Chambers

1. **AGENDA**
CALL TO ORDER Page #

- INTRODUCTION OF LATE ITEMS** (if applicable)

2. **APPROVAL OF AGENDA**

3. **ADOPTION OF MINUTES**
(a) Minutes of the Regular Meeting of Council held on December 17th, 2019. 3

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

5. **DELEGATIONS AND REPRESENTATIONS**
(a) MLA Sonia Furstenau re: Issues affecting the Cowichan Valley.
(b) Ella Mister Douglas re: Youth Parliament.

6. **VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA** – (maximum 3 minutes per speaker and maximum time allotted 15 minutes)

7. **CORRESPONDENCE**
(a) **Action Items**
(i) Brooklyn Kruk re: British Columbia Ambassador Program. 7
(b) **Information or Consent Items-** (a member may ask that an item be dealt with separately)
(i) Ian Bushfield, Executive Director, BC Humanist Association 8

8. **REPORTS**
(a) **Council and Committee Reports**
(i) Finance & Administration Councillor McGonigle 9
 - January 14th, 2020.
(ii) Public Works & Environmental Services Councillor Vomacka 13
 - January 21st, 2020.
(iii) Parks, Recreation & Culture Councillor Austin 15
 - January 21st, 2020.
(iv) Cowichan Lake Recreation Commission Mayor Peters
(v) V.I.R.L. Councillor Vomacka
(vi) Advisory Planning Commission Councillor Austin
(vii) Community Forest Co-op Councillor McGonigle

- (b) **Other Reports**
 - (i) Cowichan Valley Regional District Board Meeting – Councillor McGonigle
 - (ii) Community Outreach Team Committee - Councillor Austin
 - (iii) Our Cowichan - Councillor Sandhu
 - (iv) LIFT meeting – Mayor Peters
 - (v) Cowichan Watershed Board – Councillor Sandhu

(c) **Staff Reports**

- (i) CAO re: 2019 Community Resiliency Investment Program.

17

9. BYLAWS

- (a) "Town of Lake Cowichan Zoning Amendment Bylaw No. 1030-2019" may be given third reading.
- (b) "Town of Lake Cowichan Zoning Amendment Bylaw No. 1030-2019" may be given recommended and adopted
- (c) "Town of Lake Cowichan Fees and Charges Services Bylaw No 1031-2020" be given first, second and third readings.
- (d) "Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No 1032-2020" be given first, second and third readings.
- (e) "Town of Lake Cowichan Zoning Amendment Bylaw No 1033-2020" be given first and second readings.

18
18
23
29
38

10. NEW BUSINESS

- (a) Schedule of 2020 Budget meetings.

11. MAYOR’S REPORT

12. NOTICES OF MOTION

**13. QUESTION PERIOD (maximum 3 minutes per speaker and maximum time allotted 15 minutes)
- Limited to items on the agenda**

14. IN CAMERA

- (a) Section 92 of the *Community Charter requires* that before a meeting or part of a meeting is closed to the public, the council must state, by resolution, that the meeting is to be closed, and
- (b) The basis on which the meeting is to be closed falls under the following:
s.90 (1) (b) personal information about an identifiable individual who is being considered for a municipal award and s.90 (1) (c) on labour relations or other employee relation.

15. ADJOURNMENT



TOWN OF LAKE COWICHAN
Minutes of a Regular meeting of Council
Tuesday, December 17th, 2019

PRESENT: Mayor Rod Peters
Councillor Carlyne Austin
Councillor Kristine Sandhu
Councillor Lorna Vomacka

REGRETS: Councillor Tim McGonigle
(with prior approval)

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Roni-Lee Roach, Executive Secretary

PUBLIC: 10

1. CALL TO ORDER

Mayor Peters called the meeting to order at 6:00 p.m.

2. AGENDA

No. R.0164/19
Agenda

Moved: Councillor Vomacka
Seconded: Councillor Austin
that the agenda be approved with the following additions:

NEW BUSINESS

(a) Cowichan Rocks re: Support for the Provincial Championship.
CARRIED.

3. ADOPTION OF MINUTES

No. R.0165/19
Minutes

Moved: Councillor Sandhu
Seconded: Councillor Vomacka
that the minutes of the Public Hearing held on October 22nd, be
adopted.
CARRIED.

No. R.0166/19
Minutes

Moved: Councillor Vomacka
Seconded: Councillor Sandhu
that the minutes of the Regular Meeting of Council held on November
26th, 2019 be adopted.
CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. DELEGATIONS AND REPRESENTATIONS

(a) Parker Jefferson, One Cowichan, spoke to Council on the efforts of local groups to deal with low water levels and the impact this having on fish fry and efforts to mitigate this issue. Mr. Jefferson then introduced Jane Kilthei.

Ms. Kilthei made a presentation to Council, complimenting it on its Official Community Plan and requested that it declare a climate emergency and for it to determine options so the municipality can be better prepared to deal with climate change.

Councillor Sandhu advised that Council at its meeting of July 23rd, 2019 had ratified a recommendation that the Town of Lake Cowichan be a signatory of the "Declaration of Climate Emergency" document.

The correspondence item from Kamilla and Mick Milligan and Family supporting the presentation by One Cowichan was treated as information.

6. **VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA**

7. **CORRESPONDENCE**

(a) **Action Items:**

None.

(b) **Information or Consent Items**

None.

8. **REPORTS**

(a) **Council and other Committee Reports**

- (i) Moved: Councillor Sandhu
Seconded: Councillor Austin
that the minutes of the Finance and Administration Committee meeting held on December 3rd, 2019 be approved with the following:

1- Policy – Travel and Conference Expense

that the Travel and Conference Expense policy, as written, be approved;

2- Fire Department - Incident Report

that Council approve the Lake Cowichan Fire Department's incident report for September 2019 in the total amount of \$6,295.26;

3- Infrastructure Planning Grant

that the Town of Lake Cowichan make application under the Ministry of Municipal Affairs and Housing Investing in Canada Infrastructure Program for a planning grant of \$10,000;

4- Leave of Absence

that a leave of absence for Councillor Vomacka be approved for this meeting;

5- Appointment

that Mayor Peters be appointed as the Town's representative to the Cowichan Leadership Committee;

6- Appointment

that Mayor Peters be appointed as the Town's representative to the Department of Fisheries and Ocean, Pacific Region Committee dealing with the closing of the weir; and

7- Appointment

that Mayor Peters be appointed as the Town's representative to the Cowichan River Sustainability Water Supply Project Technical Advisory Committee (PTAC).

CARRIED.

No. R.0167/19
Finance and
Administration

No. R.0168/19
Public Works and
Environmental
Services

- (ii) Moved: Councillor Vomacka
Seconded: Councillor Austin
that the minutes of the Public Works and Environmental Services Committee meeting held on December 10th, 2019 be approved with the following:

1- Councillor McGonigle's Absence

that Councillor McGonigle's absence from the Regular meeting of December 17th, 2019 be approved.

CARRIED.

No. R.0169/19 (iii) Moved: Councillor Austin
Parks, Recreation and Seconded: Councillor Vomacka
Culture that the minutes of the Parks, Recreation and Culture Committee meeting held on December 10th, 2019 be approved with the following:

1- Collapse of Commissions

that the Town of Lake Cowichan support the following:
Option E, which calls for the Collapse of Two of the Existing Four Commissions;
and that we continue to maintain the Cowichan Lake Commission.

CARRIED.

Cowichan Lake Recreation (iv) Mayor Peters advised that the Cowichan Lake Recreation Commission members attended a Regional District meeting to discuss the dissolution of the local Recreation Commissions. He further advised that a meeting of the Cowichan Lake Recreation Commission would be held on Thursday, December 19th, 2019.

Vancouver Island Regional Library (v) Councillor Vomacka extended holiday greetings from the Board of the Regional Library and advised that no meetings will be held until 2020.

Advisory Planning Commission (vi) Councillor Austin reported that the next Advisory Planning Commission meeting will be held on January 24th, 2020. She further reported of the luncheon held on Thursday, December 12th, 2019 in appreciation of its work.

Community Forest Co-operative (vii) Mayor Peters reported on his attendance at the Halalt Annual General meeting held at Soule Creek Lodge in Port Renfrew. He further reported that the Board would be meeting again in January 2020.

(b) **Other Reports**
Cowichan Valley Regional District Board (i) There was no report available for the Regional District.

Community Outreach Team (ii) Councillor Austin reported that there were no meetings in December by the Community Outreach Team and that Community Services was organizing hampers on December 18th, 2019 with distribution to recipients on December 19th, 2019.

Our Cowichan (iii) Councillor Sandhu reported that the next meeting of Our Cowichan would be held on January 20th, 2020.

L.I.F.T. (iv) Mayor Peters reported that the next quarterly meeting of the L.I.F.T. group would be held March 2020.

Cowichan Watershed Board (v) Councillor Sandhu reported that the next meeting of the Watershed Board will be held on January 27th, 2020.

(c) **Staff Reports**

None.

9. **BYLAWS**

No. R.0170/19 (a) Moved: Councillor Sandhu
Zoning Amendment Seconded: Councillor Austin
1030-2019 that the "Town of Lake Cowichan Zoning Amendment Bylaw No. 1030-2019" be read a first and second time.

CARRIED.

10. NEW BUSINESS

No. R.0171/19
Local Government
Leadership Academy
Forum 2020

- (a) Moved: Councillor Vomacka
Seconded: Councillor Sandhu
that Council approve the attendance of up to three members of
Council to attend the Local Government Leadership Academy Forum to
be held February 5th to 7th, 2020 in Richmond, BC.

CARRIED.

No. R.0172/19
Support for Cowichan
Rocks

- (b) Moved: Councillor Sandhu
Seconded: Councillor Austin
that Council support Cowichan Rocks in co-hosting the BC Masters
Curling Championships held March 3rd to 8th, 2020 by placement of an
advertisement in its event program at a cost of \$100 with funds from
the 2020 budget.

CARRIED.

11. MAYOR'S REPORT

Mayor Peter's read out his report that included the following:

- Attendance at several meetings on the planned closing of the weir for March 2020;
- The weir technical meeting is holding its inaugural meeting on January 15th, 2020;
- Attendance at the Cowichan Leadership meeting with other mayors, regional directors, School Board, Island Health, RCMP and First Nations for the Cowichan Valley; and
- Reported on the installation of the genset at North Shore Road pump station.

12. NOTICES OF MOTION

- (a) Mayor Peters advised of the need to hold an In-Camera meeting on January 7th, 2020 at 6:00 pm.

13. QUESTION PERIOD

14. IN CAMERA

None

15. ADJOURNMENT

No. R.0173/19
Adjournment

- Moved: Councillor Austin
Seconded: Councillor Vomacka
that Council adjourn (6:39 p.m.)

CARRIED.

Certified correct _____,

Confirmed on the _____ day of _____, 2020.

Mayor

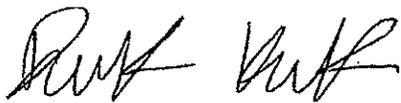
To Whom it May Concern,

My name is Brooklyn Kruk and I have recently been accepted into the British Columbia Ambassador Program. This is a provincial ambassador program in which past royalty from local Ambassador programs, such as the Lady of the Lake Ambassador Program, can compete. It provides the candidates the opportunity to represent their community on a larger scale.

In the spring of 2017, I became involved in the Lady of the Lake Ambassador Program in our community, representing Copper Lane. I received the honour of being named the 2017/2018 Cowichan Lake 1st Princess. This opportunity gave me the chance to learn more about my community, improve my public speaking skills, travel the province, and gain confidence within myself. When I was given the opportunity to run for Cowichan Lake in the British Columbia Ambassador Program, I was excited for the chance to represent my community again. This ambassador program nurtures provincial leaders of the future and forges links of friendship and understanding throughout communities in British Columbia. I will be judged on general knowledge of British Columbia, personal interviews, public speaking, community presentations, and promotion of the British Columbia Ambassador Program. Being given the opportunity to represent the Cowichan Lake area has been an honour and I am looking forward to continuing to do so in the spring.

To participate in this program, I am required to fundraise an entrance fee from my community. I am reaching out to local businesses and organizations for assistance in paying that cost. This fee covers the varying aspects of the program, including the food and accommodation. If your organization is interested in contributing to my campaign, I would greatly appreciate it. I can be reached at (250) 715-5063 or brooklynkruk@gmail.com. Thank you for taking the time to consider my request. I look forward to hearing from you soon.

Sincerely,



Brooklyn Kruk

General

From: exdir@bchumanist.ca
Sent: January 22, 2020 2:03 PM
To: General
Subject: Unconstitutional prayer/incovation at 2018 inaugural session

To the Town of Lake Cowichan

In 2015, the Supreme Court of Canada ruled that it was unconstitutional to begin a municipal council session with a sectarian prayer as it violated the state's duty of religious neutrality.

However, in reviewing the minutes of your Town's 2018 inaugural session, we note that a religious representative provided an invocation or prayer.

We kindly ask that you confirm that your council will take steps to ensure future inaugural sessions are compliant with the Supreme Court's ruling.

Sincerely

Ian Bushfield
Executive Director

Reference: *Mouvement laïque québécois v. Saguenay (City)*, 2015 SCC 16, [2015] 2 S.C.R. 3

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Ian Bushfield
Executive Director
Cell: 778.680.5729
Pronouns: He/him



British Columbia Humanist Association

www.bchumanist.ca | facebook.com/bchumanist | [@bchumanist](https://twitter.com/bchumanist)

Please note our new address: 422 Richards St, Suite 170, Vancouver, BC, V6B 2Z4

Working on unceded Coast Salish Territory - shared lands of the x̱w̱məθḵw̱əy̱əm (Musqueam), Skx̱w̱ú7mesh (Squamish) & səliłwətaʔ (Tsleil-Waututh) peoples

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TOWN OF LAKE COWICHAN
Minutes of Finance & Administration Committee
Tuesday, January 14th, 2020

PRESENT: Councillor Tim McGonigle, Chair
Mayor Rod Peters
Councillor Carolyne Austin
Councillor Kristine Sandhu
Councillor Lorna Vomacka

STAFF: Joseph Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Kam So, Superintendent, Public Works and Engineering Services
Dalton Smith, Manager, Cowichan Lake Education Centre
Roni-Lee Roach, Executive Secretary

PUBLIC: 1

- No. FA.001/20
Agenda
1. **CALL TO ORDER**
The Chair called the meeting to order at 6:02 p.m.
 2. **AGENDA**
Moved: Councillor Austin
Seconded: Mayor Peters
that the agenda be approved with the following additions under:
Delegations and Representations
(b) Patrick Sullivan re: Software Presentation;

Reports
(g) Cowichan Lake Education Centre – Winter Update; and

New Business
(c) Conference call with the Ministry of Transportation and Infrastructure
on January 20th, 2020.

CARRIED.
 3. **BUSINESS ARISING AND UNFINISHED BUSINESS**
Ongoing Items Still Being Addressed:
 - (a) The Committee reviewed the Chief Administrative Officer's report on the municipal hall upgrades.

The Chief Administrative Officer further advised that due to the recent weather, the BC Hydro lines would be relocated next Thursday, January 23rd with the roofing to occur soon after.

Councillor Vomacka inquired into the status of the fire siren. The Chief Administrative Officer advised that the siren would be removed from its current location and relocated to another area on the building.
 - (b) The Committee reviewed the Superintendent's report on the water treatment plant status report.

The Superintendent advised that training for four crew members was underway this week and for the next few weeks and that the velodyne equipment was on site and the plant would be operational this week.

Mayor Peters requested clarification on the check valve and the warranty or faulty equipment that was installed by Tritec. The Superintendent, Public Works and Engineering Services is to investigate.

The Chief Administrative Officer advised that a Level 4 operator would be available on-call from French Creek which meets all legal requirements for the operation of the water treatment plant.
 4. **DELEGATIONS AND REPRESENTATIONS**
 - (a) Ken Traynor was not able to attend the meeting due to weather conditions.
 - (b) Patrick Sullivan was on hand to make a presentation on an online team management platform to allow communication between Mayor and Council and staff and the residents of the community.

5. CORRESPONDENCE

- (a) Mayor Peters advised that the letter of support for the revitalization project as proposed by the Kinsmen/Kinette Club was sent out November 27th, 2019.
- No. FA.002/20
Referral to 2020
Grant-in-Aid
discussions
- (b) Moved: Mayor Peters
Seconded: Councillor Austin
that the Committee recommend that the funding request received from the 1st Lake Cowichan Scouts for first aid kits be referred to Grant-in-Aid discussions for 2020.

CARRIED.

- (c) The correspondence item received from Ken Traynor on the matter of use of jet ski and tubing on the Cowichan River was treated as information.

The Chief Administrative Officer advised that Alistair Crawford, Boating Safety Officer, Office of Boating Safety, Pacific Region would be attending the Public Works Committee meeting on January 21st to discuss vessel operation restrictions on waterways.

Committee members voiced their concerns with the negative environmental impact, the safety of tubers and youth at the Duck Pond, parking congestion and the effects on the salmon spawning areas on the Cowichan River that may be caused by the activities of a new tubing company.

6. VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA

7. REPORTS

- (a) The Financial Report for the period ending December 31st, 2019 was treated as information.

The Director of Finance advised that there would be increases to Lakeview Park power site fees, garbage tags, recycling bags, and application fees for temporary use permits and development variance. The relevant bylaws will be forwarded to Council for its consideration and approval.

Committee members requested clarification on a number of items.

Mayor Peters expressed dismay at the level of infrastructure improvements that have been made.

- (b) The Building Inspector's report for December, 2019 was treated as information.
- No. FA.003/20
Incident Report
- (c) Moved: Councillor Sandhu
Seconded: Councillor Austin
that the Committee recommend approval of the Lake Cowichan Fire Department's incident report for November, 2019 in the total amount of \$10,156.64.

CARRIED.

- (d) Moved: Councillor Vomacka
Seconded: Councillor Sandhu
that the Committee recommend approval of the Lake Cowichan Fire Department's incident report for December, 2019 in the total amount of \$8,264.83.

CARRIED.

- (e) The Committee reviewed the Chief Administrative Officer's report on strategic planning for the Town of Lake Cowichan.

No. FA.005/20
BC Active
Transportation
Infrastructure
Grants Programme

- (f) Moved: Councillor Sandhu
Seconded: Councillor Austin
that the Committee recommend that the Town of Lake Cowichan make application under the BC Active Transportation Infrastructure Grants Programme for a total project cost of \$50,000 with 50% to be funded by the Town for possible road and trail connections in the community such as twinning with the Lake Cowichan First Nation waterfront walkway sidewalk on North Shore Road.

CARRIED.

- (g) The Committee reviewed the Cowichan Lake Education Centre Manager's report on its initiative for long-term bookings and Indigenous tourism training programmes at the Centre. He further reported on the need for a marketing plan and website makeover to be launched by March 1st, 2020.

8. NEW BUSINESS

- (a) The information package on saving the working forest for all generations with BC forestry facts was treated as information.

The Chair stated that he had personally signed the petition on this matter and encouraged others to consider signing it due to the fact that our forest lands are a renewable resource.

The Mayor shared his view that local communities should be running the local forests, similar to the current Cowichan Lake Community Forest Co-operative and in partnership with local first nations.

- (b) The Director of Finance reported on the MNP 2019 Audit Service Plan for the Town and advised that the auditors would be undertaking its audit in April, 2020.

- (b) The Mayor advised that a conference call with representatives of the Ministry of Transportation and Infrastructure would be held on Monday, January 20th, 2020, 9:30 am to 10:30 am in Council chambers.

Councillor Sandhu requested that the Electoral Area Directors, Ian Morrison and Klaus Kuhn be invited to attend the meeting.

9. NOTICES OF MOTION

None.

10. PUBLIC RELATIONS ITEMS

Mayor Peters advised that Charles Wall, General Manager for Paper Excellence has left the company and an interim general manager has been appointed.

Mayor Peters reported that the inaugural meeting of the Cowichan River Sustainability Water Supply Project Technical Advisory Committee (PTAC) would be held on Wednesday, January 15th, 2020 at the Cowichan Valley Regional District office.

11. MEDIA/PUBLIC QUESTION PERIOD

12. IN-CAMERA

No. FA.006/20
Retire to
In-Camera

- (d) Moved: Councillor Vomacka
Seconded: Councillor Austin
that the Committee recommend that the meeting be closed to the public to deal with issues relating to labour relations or other employee relations which falls under Section 90(1)(c) of the *Community Charter* (7:18 pm).

CARRIED.

13. ADJOURNMENT

No. FA.007/20

Moved: Councillor McGonigle

Arise/Report from _____ Seconded: Councillor Sandhu
In-Camera that the Committee arise with no report and adjourn (8:18 pm)
CARRIED.

Certified correct _____ .

Confirmed on the _____ day of _____, 2020.

Chair



TOWN OF LAKE COWICHAN

Minutes of Public Works and Environmental Services Committee held on
Tuesday, January 21st, 2020

PRESENT: Councillor Lorna Vomacka, Chair
Mayor Rod Peters
Councillor Carolyne Austin
Councillor Tim McGonigle
Councillor Kristine Sandhu

STAFF: Joseph Fernandez, Chief Administrative Officer
Kam So, Superintendant, Public Works and Engineering Services
Jill Walters, Recording Secretary

PUBLIC: 10

No. PW.01/20
Agenda

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

2. AGENDA

Moved: Councillor Sandhu

Seconded: Councillor McGonigle

that the agenda be approved as presented:

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

(a)

(i)

The Committee reviewed the staff report on the water treatment plant. The installation of the soda ash system has been installed. The staff received Velodyne training this month. There is a back order for the check valves. The one year warranty will expired on February 4, 2020. There is a possibility of an extension.

(b) **Ongoing Items Still Being Addressed:**

(i)

The Chief Administrative Officer reported that he had spoken to the Agent representative on the water license permit for the education centre who stated that there is a back log of applications.

(ii)

Updates to street signage is ongoing.

(iii)

Correspondence from Ken Traynor re: Use of Jet Ski and Tubing on Cowichan River was discussed with the delegate from Transport Canada.

4. DELEGATIONS

(a)

Alistair Crawford, Boating Safety Officer, Office of Boating Safety, Pacific Region gave a presentation on Vessel Operation Restrictions on local Waterways. The 3 boating restrictions that effect the lake and river are as follows:

- Boaters must remain at least 60 meters from the shore on the lake and maintain a speed of 10 km/h at this distance;
- From the mouth of the Cowichan River to the Greendale Trestle the speed limit is 8 km/h; and
- The Greendale Trestle to the Silver Bridge in Duncan allows for a motor with 9.9 horsepower or less.

These restrictions can be modified but it is a long process. He also stated that updated signage templates could be provided.

(b)

Sharon Combs and Pat Smith gave a presentation on the concerns they have regarding safety on Grants Lake Road. They have spoken with the Superintendent of Public Works and Engineering and are working on a solution.

5. **CORRESPONDENCE**

The letter from Nora Hayward re: Gypsy Moth was received and filed.

6. **VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA**

None.

7. **REPORTS**

(a) The Committee reviewed the December/January Public Works summary report.

No. PW.02/20
Sewage
Treatment Plant
Grant Application

(b) Moved: Councillor McGonigle
Seconded: Mayor Peters
that the committee recommend approval of the grant application under the Green Infrastructure-Environmental Quality Program for the completion of the Sewer Treatment Plant Upgrade Project at an estimated cost of totaling \$7,240,000.00 with council supporting the project and committing to its share of \$1,930,908.00.

CARRIED.

(c) The Committee reviewed the Sewage Lagoon Quarterly 4 Report.

8. **NEW BUSINESS**

None.

9. **NOTICES OF MOTION**

None.

10. **PUBLIC RELATIONS ITEMS**

- A press release is being issued January 29th, 2020 regarding the weir; and
- Mayor, Council and the Areas I and F Directors had a conference call with the Ministry of Transportation and Infrastructure regarding wildlife issues on the local roads.

11. **QUESTION PERIOD**

12. **ADJOURNMENT**

No. PW.03/20
Adjournment

Moved: Councillor Austin
Seconded: Mayor Peters
that this meeting be adjourned. (7:12 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2020.

Chair



TOWN OF LAKE COWICHAN

Minutes of Parks, Recreation and Culture Committee held on
Tuesday, January 21st, 2020

PRESENT: Councillor Carolyne Austin, Chair
Mayor Rod Peters
Councillor Tim McGonigle
Councillor Kristine Sandhu
Councillor Lorna Vomacka

STAFF: Joseph Fernandez, Chief Administrative Officer
Kam So, Superintendent, Public Works and Engineering Services
Jill Walters, Recording Secretary

PUBLIC: 2

1. CALL TO ORDER

The Chair called the meeting to order at 6:45 p.m.

No. PR.001/20
Agenda

2. AGENDA

Moved: Councillor Vomacka
Seconded: Mayor Peters
that the agenda be approved as presented.

CARRIED.

3.(a) BUSINESS ARISING AND UNFINISHED BUSINESS

- (i) The Stone Park upgrade has been referred to the 2020 budget discussions.
- (ii) Councillor Austin will speak to Leon Signs to enquire if they have a copy of the Trans Canada Trail signage artwork.
- (iii) There was no update on the Riverfront Walkway and Trail Connections.

4. DELEGATIONS AND REPRESENTATIONS

- (a) None.

5. CORRESPONDENCE

The correspondence from Doug Drummond re: Access to Public Washroom Facilities in Parks was received and filed. Staff will respond with a follow up letter.

6. VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA

None.

7. REPORTS

- (a) The summary report for parks that outlined capital and maintenance parks and recreation matters included discussions on the Centennial Park Parking Lot and washrooms, Sahtlam Park Hockey Rink, Consultants concept plan for the River's Edge Memorial Garden and Kasapi Park and Duck Pond Washroom renovations were treated as information.

No. PR.002/20
Centennial Park
Parking Lot

- (b) Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that it be recommended that the contract for Centennial Park be awarded to McElhanney Engineering for \$26,269 (excluding GST). Included in with the price was the electrical component for the design the parking lot lights.

CARRIED.

8. **NEW BUSINESS**
None.

9. **NOTICES OF MOTION**
None.

10. **PUBLIC RELATIONS ITEMS**
None.

11. **QUESTION PERIOD**
None.

No. PR.003/20
Adjournment
12. **ADJOURNMENT**
Moved: Councillor Sandhu
Seconded: Councillor Vomacka
that the meeting be adjourned. (7:35 p.m.)

CARRIED.

Certified correct _____

Confirmed on the _____ day of _____, 2020.

Chair



Memo

TO: Mayor and Council
SUBJECT: 2019 Community Resiliency Investment Program
DATE: January 24, 2020
FROM: Chief Administrative Officer

BACKGROUND

The Town of Lake Cowichan submitted a grant application under the Community Resiliency Investment Program for the 2019 program with the required council resolution. In the meantime, the original application which targeted Crown Lands located off Lakeview Road for Fuel Prescription and Treatment have been deemed not eligible as these have now been treated as encumbered lands. With the concurrence of UBCM, an amended application must be submitted with an amended council resolution.

STAFF RECOMMENDATION

A council resolution as recommended by UBCM reads as follows:

that council approve the making of an amended and revised grant application under the 2019 Community Resiliency Investment Program through UBCM for an amount of \$113,565; and

and that it further provide assurance that it would support all of the proposed activities under the plan and would ensure the proper fiscal management of the grant.

A handwritten signature in black ink, appearing to read "Joseph A. Fernandez".

Joseph A. Fernandez

TOWN OF LAKE COWICHAN

Bylaw No. 1030-2019

A Bylaw to Amend Zoning Bylaw No. 935-2013

WHEREAS the Local Government Act authorizes a local government to enact bylaws, which would designate different zones pertaining to land use and development of the Town of Lake Cowichan;

AND WHEREAS the Council of the Town of Lake Cowichan deems it expedient to rezone land comprising Remainder Lot A, District Lot 13, Cowichan Lake District, Plan VIP64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404 and VIP88405, from "R-1-B Single Family and Duplex Residential Zone to a revised "R-1-B Single Detached, Duplex and Triplex Residential Zone" "in accordance with Official Community Plan;

AND WHEREAS the passage of this bylaw has met all of the requirements pursuant to the Local Government Act;

NOW THEREFORE the Council of the Town of Lake Cowichan in open meeting assembled enacts the following:

1. TITLE

This bylaw may be cited for all purposes as the "Town of Lake Cowichan Zoning Amendment Bylaw No.1030-2019".

2. AMENDMENTS

- 1) Schedule "A" to Zoning Bylaw No. 935-2013 is amended by rezoning a property described as Remainder Lot A District Lot 13 Cowichan Lake District Plan VIP64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404 and VIP88405 from R-1-B Single Family and Duplex Residential Zone to a revised "R-1-B Single Detached, Duplex and Triplex Residential Zone", which is outlined in bold black ink and identified on Schedule "A" to this Bylaw.
- 2) Zoning Bylaw No. 935-2013 is amended with the addition of a new Schedule "E" Density Bonus Calculations, which is Schedule "B" to this Bylaw.
- 3) Part V "Regulations for Each Zone, Zoning Categories,"Section 5.3 "R-1-B Single Family and Duplex Residential Zone" is amended by deleting its companion Schedule B -Concept Plan for Remainder Lot 1 District Lot 13 Cowichan Lake District Plan VIP 64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404, and VIP88405, attached to and forming Bylaw No. 1007-2018.
- 4) Part V "Regulations for Each Zone, Zoning Categories,"Section 5.3 "R-1-B Single Family and Duplex Residential Zone" is amended by deleting all text and replacing it with a new Section title replacement and new text , as follows:

5.3 R-1 -B SINGLE DETACHED AND DUPLEX, AND TRIPLEX RESIDENTIAL ZONE

.1 Intent

The intent of the R-1-B -- Single Detached, Duplex and Triplex Residential Zone is to provide for single detached dwellings, side by side duplexes, side by side triplexes and bed and breakfast facilities in a medium density environment.

.2 Permitted Uses

	Principal Use	Minimum Lot Size
(a)	Single detached dwelling	350 m ²
(b)	Side by side duplex	600 m ²
(c)	Side by side by side triplex	650 m ²

Accessory Use	
(i)	Home-based business, accessory to principal use in (a); OR
(ii)	Bed and Breakfast, accessory to principal use in (a) OR
(iii)	Secondary suites in single detached dwellings only, accessory to principal use in (a)

.3 Conditions of Use

.1 Dimensional and Coverage Standards

Dimensions and Coverage	Principal building	All other buildings and structures
(a) Maximum height (In metres)	9	7.5
(b) Maximum lot coverage (as a %)	45	

.2 Minimum building setbacks

Use / Structure	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line
(a) Single unit residential, structures and accessory buildings (In metres)	6.0 to garage face; 4.5 to front face of dwelling	4.5	1.5	1.5

.3 The garage face shall in all cases be set back a minimum of 1.5 metres further than the home face.

.4 Except in the case where a parcel of land abuts a street either in the side or in the rear, accessory buildings of a size less than 10 metres square shall be permitted a setback clearance of 0.6 metres for the interior side and rear.

.5 Notwithstanding the provisions of Article a), a *principal* building may be constructed with a zero-lot line setback from an interior property line adjacent to another R-1--B lot, provided the following

(i) A minimum distance of 3 (three) meters is maintained between buildings on adjacent lots;

(ii) A maintenance and construction easement shall be executed between the owners of the adjacent zero lot line lots and shall establish a minimum 2 (two) meters width extending in all directions from all zero setback walls.

.6 For the parcel of land with the legal description of Remainder Lot A District Lot 13 Cowichan Lake District Plan VIP64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404, and VIP88405, and physically located on Point Ideal Drive, development shall provide the following amenities:

- (i) A minimum 2.5 ha of public park land dedication, including a playground, walking trails and protected areas;
- (ii) Public walking trails connecting to existing parks, adjacent neighbourhood, playground and viewpoint;
- (iii) Environmental protection area; and
- (iv) Protected riparian area.

5) Part IV Land Use Categories and Regulations is amended with the revision of the R-1-B Zone name and map symbol in the Residential Zone Category as shown below:

NAME OF ZONE	ZONE CATEGORY	MAP SYMBOL
RESIDENTIAL ZONES		
Single Detached, Duplex, and Triplex Residential		R-1-B

3. FORCE AND EFFECT

That upon adoption of this bylaw, Bylaw No. 1030-2020, the Town of Lake Cowichan Zoning Bylaw No. 935-2013 shall hereby be amended and take effect.

READ A FIRST TIME on the 17th day of December, 2019.

READ A SECOND TIME on the 17th day of December, 2019.

PUBLIC HEARING held on the ___ day of ___, 2020.

READ A THIRD TIME on the ___ day of ___, 2020.

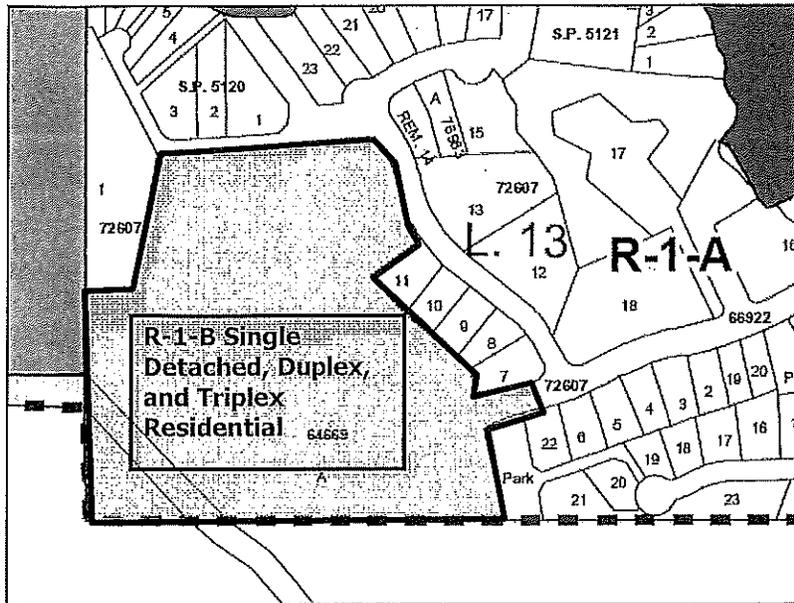
RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___ day of ___, 2020.

Rod Peters
Mayor

Joseph A. Fernandez
Corporate Officer

Schedule A –Zone Map Amendment

Attached to and forming Bylaw No. 1030-2019



Schedule B –Density Bonus Calculations

Attached to and forming Bylaw No. 1030-2019 and forming Schedule 'E' in Zoning Bylaw No. 935-2013

1. Density bonus calculations for specific property (ies) are set forth in this Schedule in accordance with the Town of Lake Cowichan's Official Community Plan (2019) density bonus policies in subsection 5.2.1.4.
2. Density Bonus Calculation Table

Parcel	Zone district—pre development application	Estimated unit yield prior to development application	New or amended Zone district (if applicable)	Additional unit yield permitted with amended zoning or development approval	Voluntary affordable housing contribution	Voluntary amenity contribution
Remainder Lot 1 District Lot 13 Cowichan Lake District Plan VIP 64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404, and VIP88405	R-1-B Single Family and Duplex Residential Zone	55	R-1-B Single Detached, Duplex and Triplex Residential Zone			

**TOWN OF LAKE COWICHAN
Bylaw No. 1031-2020**

Fees and Charges for Services

WHEREAS the Council of the Town of Lake Cowichan is empowered to establish fees and charges for various services under Section 194 of the Community Charter;

AND WHEREAS Council deems the fees and charges useful and necessary to recover costs incurred in the provision of these services;

NOW THEREFORE the Council of the Town of Lake Cowichan in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as "Town of Lake Cowichan Fees and Charges for Services Bylaw No. 1031-2020".
2. Fees listed in Schedule "A" attached to and forming part of this bylaw shall apply for the use of the Lakeview Park Campground.

Notwithstanding the charges stipulated in the foregoing schedule, off-season rates and terms may be varied and approved by resolution of Council.
3. Fees listed in Schedule "B" attached to and forming part of this bylaw shall apply for the use of the Cowichan Lake Outdoor Education Centre.

Notwithstanding the charges stipulated in the foregoing schedule, group rates may be varied through contract negotiations approved by Council.
4. Fees listed in Schedule "C" attached to and forming part of this bylaw shall apply to other goods and services provided by the municipality on a demand basis.
5. Fees listed in Schedule "D" attached to and forming part of this bylaw shall apply to sign fees, private use of parks and public spaces, and permits and development fees.
6. Fees listed in Schedule "E" attached to and forming part of this bylaw shall apply to the Waste Rates and Fire Department.
7. The fees and charges contained in this bylaw shall become effective on passage of this bylaw.
8. That the fees and charges contained in Bylaw 1017-2018 being the "Town of Lake Cowichan Fees and Charges for Services Bylaw" and all amendments are hereby repealed.

READ A FIRST TIME on the ____ day of January, 2020.

READ A SECOND TIME on the ____ day of January, 2020.

READ A THIRD TIME on the ____ day of January, 2020.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ____ day of February, 2020.

Rod Peters
Mayor

Joseph A. Fernandez
Corporate Officer



TOWN OF LAKE COWICHAN

Schedule "A"

(attached to and forming part of Bylaw No. 1031-2020)

Lakeview Park Campground:

The following rates, inclusive of applicable taxes, apply to all rentals of camp sites in Lakeview Park:

• In-season site fee per night *	\$ 34.00
• Off-season site fee per night **	\$ 24.00
• Tenting site fee per night	\$ 24.00
• Serviced site fee - water and electrical services	\$ 10.00
Call-in Reservations booking fee (non-refundable) — per camp site per night to a maximum of 3 nights.	\$ 11.00
***Cancellations made at least 10 days prior to reservation date shall receive a refund of the campsite fee, less \$22 per site per reservation.	\$ 22.00
Additional person(s) 19 years and over in camp site per night	\$ 11.00
Additional vehicle per night	\$ 16.00
Moorage per night	\$ 16.00
Fire wood sales	\$ 10.00
Ice for resale	Cost plus \$ 1.00
Campsite clean-up fee	\$ 100.00
Daily rental of propane powered campfire unit (deposit required)	\$ 12.00

* a Site will accommodate the following:

- One to four persons 19 years of age or older. Additional fees for adults apply as set above.
- A maximum of eight persons including children (18 years of age and younger).
- Vehicles per Camp Site:

One vehicle and trailer. Either one (but not both) may be an RV.

A second vehicle (non-RV) may be allowed for the additional nightly charge of \$16.00.

Additional Vehicle(s) and/or person(s) will be charged according to fees set above.

There will be NO exceptions to Camp Site size and vehicle numbers.

** Off-Season is from the end of the Labour Day long weekend in September, to prior to the May long weekend. Note: all long weekends will be charged the in-season rates.

*** Cancellations made less than 10 (ten) days prior to reservation date will receive no refund.



TOWN OF LAKE COWICHAN

Schedule "B"

(attached to and forming part of Bylaw No. 1031-2020)

Cowichan Lake Outdoor Education Centre

The following rates, exclusive of applicable taxes, apply to all rentals of space at the Cowichan Lake Outdoor Education Centre:

		<u>Off-Season</u>	<u>In Season</u> July & August
Adult	per person, double occupancy, inclusive of 3 meals and overnight accommodation, minimum group size 20 – (standard meal plan)	\$ 115.00	\$ 130.00
Adult	Per person, double occupancy, inclusive of 3 meals and overnight accommodation, minimum group size 20 – (specialized meal plan)	120.00	135.00
School	per student, inclusive of 3 meals and shared dormitory-style accommodation, no bedding provided, two and one-half day package inclusive of all on-site programs.	185.00	200.00
Youth / School	3 meals and shared overnight accommodation, no bedding provided	85.00	85.00
Exclusive Day Use	per day, meals not included	705.00	1,500.00
Other Uses	Small meeting room	90.00	105.00
	Wedding and other programming charges will be levied on a cost recovery basis		



TOWN OF LAKE COWICHAN

Schedule "C"

(attached to and forming part of Bylaw No. 1031-2020)

The following charges, inclusive of taxes where applicable, apply:

Photocopies	8 ½" X 11"	\$ 0.75/page
	8 ½" X 14"	1.50/page
	11" X 17"	2.00/page
	Town documents	.50/page
Faxes	Outgoing	1.50/page
Email	Locate and send digital copy	5.00/document
	Produce digital copy	2.00/page
Maps	Zoning Map – Large	28.00
	Official Community Plan Map	28.00
	Town Street Map	28.00
Tax Certificates	(Except for those making a request under Section 249(1) of the <i>Community Charter</i>)	25.00
Tax Certificates	Commissioned through BC Online	15.00
Building Permit Register	Per Monthly Report	15.00
Zoning Compliance	Letter of comfort	200.00
Non-Sufficient Funds	Per returned cheque	20.00
Mortgage Lenders bank fees	Recovery of bank charges (wire transfer fees) on property tax payments by mortgage companies	up to \$4.00/folio (minimum fee \$20.00)
Digital Property Tax Information	Per request made	100.00
Replicate Town Document	To recreate an original document	10.00



TOWN OF LAKE COWICHAN

Schedule "D"

(attached to and forming part of Bylaw No. 1031-2020)

Sign Fees

Sign fee	As per the sign bylaw	\$50.00
Portable sign fee	Sign placed in front of premises	25.00
Portable sign fee	Not fronting business or on public right of way	50.00
Wayfinding sign (Directional)	Business / company sign plate - cost varies depending on location	Max \$100 / year

Private Use of Parks and Public Spaces

Charitable Groups or Community Fund-Raising Community Event only	No charge for each event
Community Event with commercial activity	No charge for each event
Community Events (series of) with commercial activity in a calendar year	\$100 for each event
Security deposits, if applicable, a minimum of	150
	300

Permits and Development Fees

The following charges apply for all miscellaneous development applications:

Subdivision	Preliminary Subdivision – strata and fee simple lots (excludes parent lot if principal structure exists)	\$100.00 per lot
	Final Subdivision – strata and fee simple lots	250.00 per lot
Damage deposit	For works and services relating to subdivision	10,000 or 5% of construction costs
Form P	Phased strata development	250.00
Strata Conversion	Per unit	300.00
Rezoning amendment	Bed and breakfast	750.00
	All other rezoning amendments	2,500.00
OCP Amendment	Application	1,000.00
Development Permit	Less than \$50,000 commercial value or up to 4 residential units	500.00
	More than \$50,000 commercial value or 5 or more residential units	1,000.00
Variance Permit	Application	300.00
Temporary Use Permit	Application	500.00
Development Variance	Application	500.00
Plan Examination Fees	For subdivisions	50.00

TOWN OF LAKE COWICHAN

Schedule "E"

(attached to and forming part of Bylaw No. 1031-2020)

Waste Rates

Replacement Garbage/organics totes:	
80L	At cost – minimum \$70.00
120L	At cost – minimum \$90.00
Garbage/Organic tote changeout/delivery fee	30.00
Extra Garbage Container Tag	4.25
Recycling bags	2.00
Replacement keys	5.00

Fire Department

Volunteer Fire Department Stipend; where work is missed and unpaid	\$130.00 per day
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**TOWN OF LAKE COWICHAN
BYLAW 1032-2020**

**A BYLAW TO AUTHORIZE AND REGULATE
THE COLLECTION OF WASTE**

WHEREAS under Section 8 of the *Community Charter*, the Council may by bylaw regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS it is deemed advisable that the Town of Lake Cowichan shall establish and operate a system of collection for garbage, organic material, rubbish and other unwholesome and discarded material;

NOW THEREFORE, the Council of the Town of Lake Cowichan in open meeting assembled, ENACTS as follows:

1. TITLE

This bylaw may be cited as the "Town of Lake Cowichan Waste Collection Regulations and Rates Bylaw No. 1032-2020".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

COMMERCIAL ENTERPRISE shall mean any business requiring a business licence to operate a business in the Town of Lake Cowichan;

CONSTRUCTION WASTE means

- (a) waste resulting from or produced by the alteration, renovation or construction of residential structures such as buildings, houses, sheds, garages, driveways, and other related improvements; and
- (b) includes any waste associated with the construction trades;

CORRUGATED CARDBOARD means any Kraft paper board product, consisting of rippled paper inserts and liners, that is free of contaminants such as blood, grease, oil, chemicals, food residue, and wax;

GARBAGE shall mean and include any and all rubbish and household waste and any items designated by the Town as acceptable for refuse collection but excludes construction waste, kitchen organics, prohibited waste, recyclable materials, and garden and yard waste;

HYDRAULIC BIN shall be a container designed to meet safety requirements, and to be handled by garbage trucks operating for the Town and having a capacity of 3 cubic yards (2.3m³) and not weighing more than 225 kgs;

INSTITUTION shall only mean facilities owned and operated by the Vancouver Island Regional Library;

KITCHEN ORGANICS is kitchen waste that is compostable and includes food scraps, egg shells, fish, seafood, nuts, shells, bones, tea bags, coffee grounds, paper filters, dairy products, fruits, vegetables, breads, cereals, pasta, cakes, biscuits, paper towels, napkins, paper plates, paper cups, pizza boxes and other food soiled cardboard, gable top milk and wax coated ice cream containers, houseplants and for certainty excludes yard and garden waste and non-compostable bags;

OCCUPIER shall mean any person occupying any dwelling, habitation, place of residence, or trade premises within the Town, but shall not include any person who is merely a boarder, roomer, or lodger therein;



OWNER shall mean and include a person as defined in the **SCHEDULE — DEFINITIONS AND RULES OF INTERPRETATION** to the *Community Charter*;

PROHIBITED WASTE includes:

- (a) explosive material, radioactive substances, hazardous waste, petroleum products, and industrial chemical waste;
- (b) furniture, appliances, motor vehicle tires, motor vehicle bodies, and farm tools or equipment;
- (c) anything that is on fire or is smouldering;
- (d) dead animals, or parts thereof, including:
 - (i) roadkill, wildlife, or pets; but
 - (ii) excludes what is considered food waste by the Town; and
- (e) any other matter that is so considered by the Town;

RECYCLABLE CORRUGATED CARDBOARD shall mean a container for goods which is composed of an inner fluting (wave-like) of material and one or two outer liners of material (liner board) which is not lined with contaminants such as oil, grease and food;

RECYCLABLES are materials accepted under a recycling program of the Cowichan Valley Regional District.

REGULATION GARBAGE RECEPTACLE shall mean a tote provided by the Town for the purpose of garbage storage and collection with a good fitting, water tight cover and a capacity of not more than eighty (80 litres or 34 kg), or one hundred twenty (120) litres, or two hundred and forty (240) litres, when full. A receptacle may be used with a plastic bag liner for removal. Plastic bags shall not be permitted for use as a normal garbage receptacle unless plastic bag is placed in an approved container marked with a tag;

REGULATION ORGANICS RECEPTACLE shall mean a tote provided by the Town for the purpose of organics storage and collection with a good fitting, water tight cover and a capacity of not more than eighty (80 litres or 34 kg), or one hundred twenty (120) litres, or two hundred and forty (240) litres, when full. A receptacle may be used with a compostable plastic bag liner for removal. Plastic bags shall not be permitted for use as a normal organics receptacle;

RESIDENTIAL DWELLING shall mean a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex or a cabin;

RESIDENTIAL PROPERTY means a property within the Town limits that is used for residential purposes, and includes single-family homes, duplexes, townhouses, multi-family apartments, condominiums, and co-ops;

SUPERINTENDENT means the Superintendent, Public Works and Engineering Services of the Town of Lake Cowichan;

TAG shall mean a garbage tag obtainable at the Town of Lake Cowichan for use in connection with a regulation garbage receptacle;

TOWN means the Town of Lake Cowichan.



WASTE COLLECTOR shall mean the Town or person appointed from time to time by resolution of the Municipal Council to collect garbage and trade waste or kitchen organic within the Town of Lake Cowichan;

YARD AND GARDEN WASTE is organic materials, other than kitchen organics, including grass, lawn and hedge clippings, sod, earth, flowers, weeds, leaves, shrubs and branches.

3. GENERAL PROVISIONS

- 3.1 No person within the Town of Lake Cowichan shall dispose of garbage or waste except in accordance with the provisions of this bylaw.
- 3.2 No person shall place anything other than garbage into the garbage receptacle or kitchen organics into the kitchen organics receptacle.
- 3.3 Every occupier or owner of any dwelling, apartment house and trade premises within the Town shall ensure that regulation garbage receptacles are put out prior to pick-up times only on the days specified for pick up.
- 3.4 A residential dwelling within the Town limits will be issued one garbage receptacle and one kitchen organics receptacle.
- 3.5 Receptacles provided by the Town shall, at times, remain the property of the Town and may not removed from the premises. Where this should occur, the new owner will be held responsible for the replacement costs.
- 3.6 Where the property owner requests a change in organics and garbage services applicable charges as determined in this bylaw or by council shall apply.

4. ACCESSIBILITY OF WASTE RECEPTACLE

- 4.1 **RESIDENTIAL:** all regulation garbage receptacles shall be accessible within 1 meter (3 feet) of the curb or curb line on a public road site on all designated collection days or edge of pavement. Such days shall be designated by the Town. No garbage will be removed from private property or driveways on private property. Every occupier or owner of a dwelling shall place all garbage and recyclable containers before 7:00 a.m. on the day designated by the Superintendent for collection.
- 4.2 **COMMERCIAL:** all garbage receptacles shall be accessible to the Waste Collector at a predetermined location, and sites and days will be approved by the Town. Every commercial enterprise shall place all garbage and recyclable containers before 7:00 a.m. on the day designated by the Superintendent for collection.

5. PROPER RECEPTACLE

- 5.1 Every occupier or owner of a dwelling, apartment house and trade premises shall use the correct receptacle for garbage or kitchen organics at all times.
- 5.2 Where garbage or kitchen organics is not contained within the receptacle or where the occupier or owner causes the garbage or kitchen organics to be strewn in or outside the dwelling, apartment house or trade premises the Superintendent may order the clean-up of the garbage. The costs of the clean-up will be assessed against the owner of the property responsible for the cause of the clean-up.

6. CONTAINER REQUIREMENTS

- 6.1 No liquids or free water shall be put or placed in or allowed to run or accumulate in any regulation garbage receptacle, and all such regulation garbage receptacles shall, at all times, be kept securely covered with a water-tight cover.



- 6.2 No person shall place any explosive substance in any regulation garbage receptacle.
- 6.3 All garbage shall be drained and dry before being deposited in a garbage receptacle.
- 6.4 No person shall place kitchen scraps into a kitchen organics receptacle unless the kitchen scraps are securely contained in a paper bag or a compostable bag.
- 6.5 No person shall place garbage or kitchen organics for pick-up in receptacles owned by others without that owner's permission.

7. PROHIBITED MATERIALS

- 7.1 No owner or occupier shall deposit for the collection by the Waste Collector of prohibited materials, yard and garden waste and glass or recyclable materials.

8. CONDITION OF RECEPTACLE

- 8.1 All regulation garbage receptacles shall at all times be kept in good and sanitary condition and shall be accessible for inspection at all reasonable times.

9. MANDATORY SERVICE

- 9.1 All premises within the Town must have all trade waste and house rubbish removed and disposed of by the Town of Lake Cowichan and shall comply with all regulations.
- 9.2 Notwithstanding section 9.1, commercial and institutional enterprises may opt out of municipal waste collection service by notifying the Town in writing of the effective date it has entered into a garbage collection and recycling contract with a bona fide garbage and recycling contractor.

10. INDEPENDENT SERVICE

- 10.1 In the case of building or premises being used as separate units, each must pay the independent garbage user fee of the Town, as prescribed in the schedule attached to this bylaw.
- 10.2 The property owner is responsible for the purchase of organics and waste totes for secondary suites, where required, and the property owner also responsible for the monthly waste collections fees in accordance with Schedule A.

11. CHARGES WHEN VACANT

- 11.1 All of the Town has a specified garbage district, therefore, the owners of premises, whether occupied or vacant, on which a premise exists, shall be responsible for the payment of all annual garbage user fees, whether the service is actually used or not.

12. COLLECTION OF FEES

- 12.1 All accounts will be billed annually in January for the period January 1st to December 31st and payable in advance. The due date is March 31st. These rates shall be payable at any place designated by Council, but in all cases, the owner shall be subject to the provisions of Section 258 of the *Community Charter* and shall be paid at the rates set forth for the respective year in Schedule "A" attached to this bylaw.



- 12.2 Invoicing for new customers will commence six (6) months after the Building Permit is issued. It is the responsibility of the customer to inform the Town if the premises are not occupied at the time.
- 12.3 Tags for use with additional regulation garbage receptacles may be bought at the Town office during regular business hours at the rate established in Schedule "A".

13. DISCOUNTS AND PENALTIES

- 13.1 All accounts shall be allowed a discount of 10 percent (10%) for prompt payment of the annual billing or portion thereof if paid on or before the last day of February.
- 13.2 The annual billing is due and payable on or before March 31st of the current year. If the account remains unpaid after the first business day in July a 5 percent (5%) penalty will be applied to the outstanding balance. If the account remains unpaid after September 30th an additional 5 percent (5%) penalty will be applied to the outstanding balance.
- 13.3 Excess totter pickup billings will be due 30 days from the invoice date. If the account remains unpaid after 60 days from the billing date, monthly interest charges will be applied at 2% until the account is paid.
- 13.4 All outstanding balances as at December 31st will be transferred to taxes as arrears.

14. DUTIES OF WASTE COLLECTOR

- 14.1 It shall be the duty of the Waste Collector:
- a) To collect all garbage, trade waste, recycling and organics;
 - b) To report any infraction of this bylaw;
 - c) To answer all complaints courteously and promptly;
 - d) Not to trespass needlessly on private property, but to follow pedestrian walks and not cross from one property to another;
 - e) To have all garbage collection equipment accessible to the Public Health Inspector at all times; and
 - f) To maintain a list of users who fail to meet the requirements set forth in this bylaw.

15. COLLECTION OF GARBAGE FROM RESIDENTIAL DWELLINGS

- 15.1 Garbage shall be collected and carried away by the Waste Collector from all dwellings a minimum of once every second week in each year. (See Schedule "A" for multiplying factor relative to pick-up.) The schedule for the pick-up of garbage from dwellings each year shall be determined prior to December 31st of the current year.
- 15.2 Garbage shall be collected and carried away by the Waste Collector from all strata corporations weekly or biweekly (depending on service levels) provided the strata corporation signs a waiver of liability in the form attached as Schedule "B" to this bylaw.
- 15.3 A strata corporation, on behalf of all of the owners of the residential strata lots in the strata plan that are townhouses or bare land strata lots, may apply to the Town for individual service for municipal collection services provided under the garbage, recyclables and organics as set out in this bylaw.



- 15.4 The Town will accept the application if the Town is satisfied that the residential strata lots can be safely, efficiently and legally serviced by the Town's automated collection system. If accepted, the owners of each residential strata lot will be provided with basic standard carts and pay the fees according to Schedule "A".
- 15.5 The owners shall, as a condition of the Town actually providing municipal collection services from the residential strata lots but without affecting the owners' obligations to pay the fees, comply with any terms and conditions imposed from time to time by the Town in order to ensure that the Town can safely, efficiently and legally service the residential strata lots.
- 15.6 The strata council must ensure that access through the strata corporation is kept clear of snow and debris at all times and no part the access will be blocked to the automated garbage collection system.

16. COLLECTON OF ORGANICS FROM RESIDENTIAL DWELLINGS

- 16.1 Organics, after implementation, shall be collected and carried away by the Waste Collector from all dwellings once every week.
- 16.2 The designated kitchen organics container, as specified by the Town, must be used. To prevent a pest problem and for odour control the lid must be tightly sealed.
- 16.3 If a liner is used in the organics container, the liner must be compostable.

17. COLLECTION FROM TRADE PREMISES

- 17.1 Garbage and Kitchen Organics shall be collected and carried away from trade premises, apartment houses and buildings in which more than two families dwell, at such periods as the Waste Collector may establish. (See Schedule "A" for multiplying factor relative to pick-ups).

18. REGULATION RECEPTACLE

- 18.1 For the purpose of this bylaw, a garbage or kitchen organics service shall consist of the removal of the contents of not more than one garbage receptacle for a residential or commercial can, of a size specified in the definition "Regulation Garbage Receptacle" or "Trade Waste".
- 18.2 Notwithstanding the foregoing, any residential or commercial user is entitled to extra pick-ups at the scheduled time of garbage pick-up if each additional regulation garbage receptacle is affixed with a prepaid tag.

19. CONTRAVENTION AND PENALTIES

- 19.1 Any person who evades or knowingly assists in the evasion of rates under this bylaw is guilty of an offence and shall be liable to a penalty equal to twice the amount that was evaded.
- 19.2 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.
- 19.3 Any person found guilty of an infraction of any of the provisions of this bylaw, shall, upon summary conviction, be liable to a fine not exceeding Two Thousand Dollars (\$2,000) which shall be recoverable and enforceable upon summary conviction in the manner provided by the *Offence Act*.



20. REPEALED

20.1 That upon adoption of the bylaw, Bylaw No. 1015-2018 being the "Town of Lake Cowichan Garbage Regulations and Rates Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the ___ day of _____, 2020.

READ A SECOND TIME on the ___ day of _____ 2020.

READ A THIRD TIME on the ___ day of _____ 2020.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___ day of _____ 2020.

Rod Peters
Mayor

Joseph A. Fernandez
Corporate Officer



SCHEDULE "A"**ATTACHED TO AND FORMING PART OF BYLAW NO. 1032-2020****WASTE COLLECTION RATES****WASTE COLLECTION RATES - 2020**

The rates reflected in this schedule are based on a flat rate billing system and include fees for garbage, organics and recycling.

The monthly minimum fee payable for the removal of waste shall be as follows:

- a) **Residential** - based on a maximum of one regulation size garbage can per bi-weekly pick-up and one regulation size organics pickup per week for each single family unit at:
 - i) \$14.95 per month for 80 litre tote
 - ii) \$22.45 per month for 120 litre tote
 - iii) \$44.85 per month for 240 litre tote (only applicable to multi-family residential)
- b) **Commercial** - offices, warehouses, small retail and wholesale outlets, industrial and other small commercial enterprises for each enterprise based on a maximum of one regulation size garbage and where applicable one regulation size organics can at:
 - i) \$14.95 per month for 80 litre tote with bi-weekly garbage pickups
 - ii) \$5.10 per pickup for 80 litre tote (one pickup per week minimum)
 - iii) \$7.65 per pickup for 120 litre tote (one pickup per week minimum)
 - iv) \$10.20 per pickup for commercial tote (one pickup per week minimum)
 - v) \$58.40 per hydraulic bin pickup

WASTE COLLECTION RATES - 2021

The rates reflected in this schedule are based on a flat rate billing system and include fees for garbage and recycling.

The monthly minimum fee payable for the removal of waste shall be as follows:

- a) **Residential** - based on a maximum of one regulation size garbage tote collected bi-weekly and one regulation size organics tote collected weekly for each single family unit at:
 - i) \$15.40 per month for 80 litre tote
 - ii) \$23.10 per month for 120 litre tote
 - iii) \$46.20 per month for 240 litre tote (only applicable to multi-family)
- b) **Commercial** - offices, warehouses, small retail and wholesale outlets, industrial and other small commercial enterprises for each enterprise based on a maximum of one regulation size garbage and where applicable one regulation size organics can at:
 - i) \$15.40 per month for 80 litre tote with bi-weekly pickups
 - ii) \$5.25 per pickup for 80 litre tote (one pickup per week minimum)
 - iii) \$7.90 per pickup for 120 litre tote (one pickup per week minimum)
 - iv) \$10.85 per pickup fee for commercial tote (one pickup per week minimum)
 - v) \$59.50 per hydraulic bin pickup

GENERAL FEES APPLICABLE

Container rental fee where applicable shall be levied as follows:

Toter	\$ 4.00 per month
Hydraulic bin	\$ 63.50 per month



SCHEDULE "B"

ATTACHED TO AND FORMING PART OF BYLAW NO. 1032-2020

INDEMNIFYING RELEASE

In consideration of the restricted access available to larger vehicles and in relation to the collection of garbage in or about

Lake Cowichan, B.C.

I/We,

agree to save harmless and keep indemnified any or all of the staff, members of Council, agents, servants and representatives of the Town of Lake Cowichan (hereinafter referred to as the "Town") from and against all claims, actions, expenses and demands in respect to injuries, death, loss and damage to my/our property howsoever caused, arising out of or in connection with the collection of garbage from these premises.

Dated this _____ day of _____, _____.

WITNESS TO:

AUTHORIZED SIGNATORY

Print Name Occupation

)

Print Name

)

Address

)

Address

)

)

Signature

)

Signature

)

)

)



TOWN OF LAKE COWICHANBylaw No. 1033-2020
A Bylaw to Amend Zoning Bylaw No. 935-2013

WHEREAS the Local Government Act authorizes a local government to enact bylaws, which would designate different zones pertaining to land use and development of the Town of Lake Cowichan;

AND WHEREAS the Council of the Town of Lake Cowichan deems it expedient to rezone land with a legal description of Consolidation of Lot 1, Plan 27794 and Remainder of Lot C, Plan 27479, both within District Lot 16, Cowichan Lake District and that part of Remainder of Parcel K (DD 1221071), Section 6, Renfrew District from 'R-1 Urban Residential Zone' to 'R-1-B Single Detached, Duplex and Triplex Residential Zone' in accordance with Official Community Plan;

AND WHEREAS the Council of the Town of Lake Cowichan deems it expedient to update Schedule "E" Density Bonus Calculations of Zoning Bylaw 935-2013;

AND WHEREAS the passage of this bylaw has met all of the requirements pursuant to the Local Government Act;

NOW THEREFORE the Council of the Town of Lake Cowichan in open meeting assembled enacts the following:

1. TITLE

This bylaw may be cited for all purposes as the "Town of Lake Cowichan Zoning Amendment Bylaw No.1033-2020".

2. AMENDMENTS

- 1) Schedule "A" to Zoning Bylaw No. 935-2013 is amended by rezoning land described as Consolidation of Lot 1, Plan 27794 and Remainder of Lot C, Plan 27479, both within District Lot 16, Cowichan Lake District and that part of Remainder of Parcel K (DD 1221071), Section 6, Renfrew District from 'R-1 Single Family Zone' to a revised 'R-1-B Single Detached, Duplex and Triplex Residential Zone' in accordance with Official Community Plan, which is outlined in bold black ink and identified on Schedule "A" to this bylaw.
- 2) Density Bonus Calculation Table of Schedule 'E' of Zoning Bylaw No. 935-2013 is amended follows:
 - i) Renaming the 'Density Bonus Calculation Table' to 'Density Bonus and Affordable Housing Contribution Table';
 - ii) Replacing the text of item 1) in its entirety with the following:
 - 1) Density bonus calculations for specific property (ies) are set forth in this Schedule in accordance with the Town of Lake Cowichan Official Community Plan (2019) density bonus policies in subsection 5.2.1.4 and affordable housing contribution policy in subsection 5.2.4.1 8); and

iii) Updating item 2) Density Bonus and Affordable Housing Contribution Calculation Table of Schedule "E", with the following additional row:

2) Density Bonus and Affordable Housing Contribution Calculation Table

Parcel	Zone district—pre-development application	Estimated unit yield prior to development application	New or amended Zone district (if applicable)	Additional unit yield permitted with amended zoning or development approval	Affordable housing contribution	Amenity contribution
Consolidation of Lot I, Plan 27794 and Remainder of Lot C, Plan 27479, both within District Lot 16, Cowichan Lake District and that part of Remainder of Parcel K (DD 1221071), Section 6, Renfrew District	R-1 Urban Residential	17	R-1-B Single Detached, Duplex and Triplex Residential Zone	15 units, representing an 89% increase in density due to rezoning	20% of additional density achieved (e.g. 3 units based on an additional 15 units); any fraction in the calculation shall be rounded up to the next whole number. Units are to be available on a affordable basis with appropriate covenants registered on affected lots for 10 years.	

3. FORCE AND EFFECT

That upon adoption of this bylaw, Bylaw No. 1033-2020, the Town of Lake Cowichan Zoning Bylaw No. 935-2013 shall hereby be amended and take effect.

READ A FIRST TIME on the----thday of ----, 2020.

READ A SECOND TIME on the----thday of ---- 2020.

PUBLIC HEARING held on the___ day of___, 2020.

READ A THIRD TIME on the ___ day of___, 2020.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___day of___, 2020.

Rod Peters
Mayor

Joseph A. Fernandez
Corporate Officer

Schedule A –Zone Map Amendment

Attached to and forming Bylaw No. 1033-2020

